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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,058	11/02/2001	Saul R. Dooley	GB 000151	4908
24737	7590	02/18/2005	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			LIU, SHUWANG	
			ART UNIT	PAPER NUMBER
			2634	

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/003,058	Applicant(s) DOOLEY ET AL.	
	Examiner Shuwang Liu	Art Unit 2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11/02/01.  
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 16 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
 6) ☒ Claim(s) 1-16 is/are rejected.  
 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.  
 10) ☐ The drawing(s) filed on 02 November 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) ☐ All b) ☐ Some \* c) ☐ None of:  
 1. ☐ Certified copies of the priority documents have been received.  
 2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
 \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/10/02, 11/02/01</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

***Preliminary Amendment***

1. The preliminary amendment filed on 11/02/01 has been entered.

***Priority***

2. Acknowledgment is made of applicant's claim for priority under 35 U.S.C. 119(a)-(d) based upon an application filed in United Kingdom on 04/11/2000. A claim for priority under 35 U.S.C. 119(a)-(d) cannot be based on said application, since the United States application was filed more than twelve months thereafter.

***Drawings***

3. The drawings are objected to because there are no labels for each blocks in figures 1 and 2 and blocks 21, 22, 24 and 17 in figure 3. These blocks need to have descriptive labels under 37 CFR 1.84(n) and 1.84(o).

***Specification***

4. The disclosure is objected to because of the following informalities:  
(1) The section heading should be inserted in appreciated location in the specification.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

**Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

(2) In abstract, line 1, delete "(1A)"; and delete [Figure 1] in the last line.

(3) On page 3, lines 1-17, the examiner suggests incorporating the features recited in claims into the specification to facilitate potential further amendments to the claims. In the specification, without explicitly reciting the features recited in the original claims, amendments to the claims may provoke 35 USC 112, 1<sup>st</sup> paragraph rejection because any amendment would potentially introduce *new matter*.

(4) On page 6, line 6, "Fig. 2" should be - -Fig. 3- -.

***Claim Objections***

5. Claims 1-16 are objected to because of the following informalities:

- (1) In claim 1, line 2, insert - -spread spectrum- - before "signal";
- (2) In claim 1, line 6, insert - -spread spectrum- - after "incoming"; and
- (3) In claims 1 and 9, line 6, delete "the" before "said".

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) regarding claims 1 and 9:

Claims recite the limitation "the mode of the processing" in line 5. There is insufficient antecedent basis for this limitation in the claim.

(2) regarding claims 3 and 11:

Claims recite the limitation "the monitored characteristic of movement" in line 2. There is insufficient antecedent basis for this limitation in the claim.

(3) regarding claims 4 and 12:

Claims recite the limitation "the ranging of frequencies" in line 3. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-3, 5, 9-11 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamauchi et al. (EP 0528530A1, see IDS).

As shown in figures 1-4, Yamauchi et al. discloses a method and apparatus of receiving a spread spectrum signal, comprising:

(1) regarding claims 1 and 9:

processing (by means 44 and 37) the signal for the purposes of signal acquisition and signal tracking (column 2, lines 1-25 and column 3, lines 15-46);

monitoring (by means 12) movement of the mobile terminal and deriving a signal indicative of a characteristic of movement of the mobile terminal (column 4, lines 45-56);  
and

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changing (by means 14) the mode of the processing of the incoming signal in response to the signal indicating the said characteristic of movement of the mobile terminal (column 5, lines 11-44).

(2) regarding claims 2 and 10:

wherein the monitored characteristic of movement of the mobile terminal comprises an acceleration/deceleration characteristic (speed pulse) (column 5, lines 11-19 and claim 3).

(3) regarding claims 3 and 11:

wherein the monitored characteristic of movement comprises a speed component (column 4, lines 45-56).

(4) regarding claims 5 and 13:

wherein the characteristic of movement comprises the mobile terminal being in a stationary state (column 4, lines 45-56).

10. Claims 1-3, 5, 6, 8, 9-11, 13, 14 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Begin et al. (US 6,532,419).

As shown in figures 1-6, Begin et al. discloses a method and apparatus of receiving a spread spectrum signal, comprising:

(1) regarding claims 1 and 9:

processing (by means 22) the signal for the purposes of signal acquisition and signal tracking (column 1, lines 11-35 and column 2, lines 42-67);

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monitoring (by means 40 and 42) movement of the mobile terminal and deriving a signal indicative of a characteristic of movement of the mobile terminal (column 4, lines 45-56); and

changing (by means 20) the mode of the processing of the incoming signal in response to the signal indicating the said characteristic of movement of the mobile terminal (column 3, line 41-column 4, 1-16).

(2) regarding claims 2 and 10:

wherein the monitored characteristic of movement of the mobile terminal comprises an acceleration/deceleration characteristic (column 3, lines 55-63).

(3) regarding claims 3 and 11:

wherein the monitored characteristic of movement comprises a speed component (ZMD, column 3, lines 55-63).

(4) regarding claims 5 and 13:

wherein the characteristic of movement comprises the mobile terminal being in a stationary state (ZMD, column 3, lines 55-63).

(5) regarding claims 6 and 14:

wherein the step of changing the mode of processing of the incoming spread spectrum signal comprises switching signal tracking loops within the terminal (see 118-126 in figure 6).

(6) regarding claims 8 and 16:

wherein the step of changing the mode of processing of the incoming spread spectrum signal comprises taking a snapshot of the incoming spread spectrum signal

only when either the speed or acceleration of the mobile terminal is below a predetermined threshold (column 3, line 60-column 4, line 16).

***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 7 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamauchi et al. in view of Krasner (US 6,289,041).

Yamauchi et al. discloses all of the subject matter as described above except for specifically teaching of the step of changing the mode of processing of the incoming spread spectrum signal comprises increasing the integration time employed within an integrator within the mobile terminal as claimed.

Krasner, in the same field of endeavor, teaches a method of increasing the integration time employed within an integrator in a GPS receiver (column 5, lines 51-65).

It would be desirable to reduce errors in measured pseudorange in the GPS receiver. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to increase the integration time employed within an integrator as

taught by Krasner in order to allow the GPS receiver to track and acquire the received GPS signals more accurate.

**Conclusion**

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shuwang Liu whose telephone number is 571 272-3036. The examiner can normally be reached on M-F, 7:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571 272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shuwang Liu  
Primary Examiner  
Art Unit 2634

February 14, 2005